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Departmental Promotional
LABOR RELATIONS COUNSEL I
Final Filing Date: **September 19, 2008**

Equal Opportunity Employer – "Equal Opportunity to all regardless of race, color, creed, national origin, ancestry, sex, marital status, medical condition, disability, religious or political affiliation, age, or sexual orientation." "It is an objective of the State of California to achieve a drug-free state workplace. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the state, the rules governing civil service, and the special trust placed in public servants."

EXAMINATION TYPE

This is a departmental promotional examination.

WHO CAN APPLY

Competition limited to State employees - Applicants must have permanent or limited term civil service appointment (with permanent status) or a Training and Development assignment with the Department of Personnel Administration (DPA) OR must be: 1) a current or former legislative employee meeting the criteria defined in Government Code (GC) Section 18990; OR 2) an exempt employee meeting the criteria defined in GC, Section 18992, as of the final filing date, in order to take this examination.

Under certain circumstances other employees may be allowed to compete. Refer to the "General Information, Promotional Examinations Only" located on page 4 of this bulletin for other conditions.

HOW TO APPLY

Applications (STD 678) may be obtained at the DPA, local offices of the Employment Development Department and on the State Personnel Board's web site www.spb.ca.gov. Applications must be filed in person or by mail with:

Department of Personnel Administration
Attention: DeAnna Summers – Examination Unit
1515 "S" Street, North Building, Suite 400
Sacramento, CA 95811

DO NOT SUBMIT APPLICATIONS TO THE STATE PERSONNEL BOARD

FINAL FILING DATE

Applications must be submitted by **September 19, 2008**, the final filing date. Mailed applications must be POSTMARKED by the United States Postal Service by the final filing date. If you are personally delivering your application, you must do so between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, on or before the final filing date to the same street address as listed above. Applications postmarked, personally delivered, or received via interoffice mail after **September 19, 2008**, will not be accepted for any reason. Use of DPA metered mail is prohibited. Faxed and/or electronic (e-mail) applications will not be accepted.

SPECIAL TESTING ARRANGEMENTS

If you need reasonable accommodations to take an interview, mark the appropriate box in Item 2 on your application. You will be contacted to make specific arrangements.

SALARY RANGE

\$5644 - \$6823

IDENTIFICATION REQUIRED

NOTE: Accepted applicants are required to bring either a photo identification card or two forms of signed identification to each phase of the examination.

REQUIREMENTS FOR ADMITTANCE TO THE EXAMINATION

All applicants must meet the education and/or experience requirements for this examination by the final filing date. It is your responsibility to make sure you meet the education and/or experience requirements stated below. Your signature on your application indicates that you have read, understood, and possess the basic qualifications required.

NOTE: All applications/resumes must include "to" and "from" employment dates (month/day/year), time base, and applicable civil service classification title(s). Applications/resumes without this information will be rejected.

MINIMUM QUALIFICATIONS

Experience applicable to one of the following patterns may be combined on a proportional basis with experience applicable to the other to meet the total experience requirement. However, experience in California state service applied toward "Pattern II" must include the same number of years of qualifying experience as required in "Pattern I" performing the duties at a level of responsibility equivalent to that described in "Pattern I".

In addition, all candidates must have membership in The State Bar of California (applicants must have active membership in The State Bar before they will be eligible for appointment).

EITHER I

One year of experience in California state service performing legal duties* in labor law and including civil or administrative litigation in a class at a level of responsibility equivalent to Legal Counsel, Range B. (Applicants who have completed 10 months of the required experience will be admitted to the examination but must complete one year of such experience before they will be eligible for appointment.)

OR II

Three years of responsible experience in the practice of law*, of which two years must be in labor law and include administrative or civil litigation experience.

*Experience in the "practice of law" or "performing legal duties" is defined as only that legal experience acquired after admission to The Bar.

POSITION DESCRIPTION

Incumbents in this class are experienced working-level attorneys capable of performing difficult legal work with increased independence and responsibility. They are given increasingly complex assignments. They are expected to work independently on legal issues of average difficulty including drafting and analysis of legislation and regulations, research, and writing of legal opinions. They may act as an advocate or hearing officer in hearings, arbitrations, and litigation involving departments with labor relations problems of average difficulty, and assist in the presentation of difficult cases. Under the direction of a higher level attorney, they may be assigned to more difficult problems.

LOCATION OF POSITION(S)

A position exists with the DPA in Sacramento.

EXAMINATION INFORMATION

This examination consists of an Education and Experience evaluation weighted 100%. To obtain a position on the eligible list, a minimum rating of 70% must be obtained. This examination utilizes an evaluation of each candidate's experience and education compared to a standard developed from the class specification. For this reason, it is **extremely important** that each candidate take special care in accurately and completely filling out his/her application. List **all** experience relevant to the 'Requirements for Admittance to the Examination' shown on this announcement. Supplementary information will be accepted, but read the 'Requirements for Admittance to the Examination' carefully to see what kind of information will be useful to the staff doing the evaluation.

NOTE: In the event that the DPA receives more than the required number of applications for the education and experience process, the examination will consist of a mandatory appraisal interview instead. During the interviews, competitors should be prepared to answer questions relating to areas shown under scope. Competitors who do not appear for the interview will be disqualified.

**EXAMINATION
INFORMATION**
(continued)

EDUCATION AND EXPERIENCE – WEIGHTED 100%

SCOPE

In addition to evaluating the competitors' relative abilities as demonstrated by quality and breadth of experience, emphasis will be on measuring competitively, relative to job demands, each competitor's:

A. Knowledge of:

1. Legal principles and their applications;
2. Legal research methods;
3. Administrative law and the conduct of proceedings before administrative bodies;
4. Scope, character and principles of California statutory law, provisions of the California Constitution, administrative regulations and case law authorities administered or enforced by the Department of Personnel Administration;
5. Principles of labor law, personnel law, administrative law and civil litigation;
6. Rules of evidence and conduct of proceedings in trial and appellate courts of California and the United States and before administrative bodies;
7. Obligations of public officials and administrative boards and agencies;
8. Duties and powers of the Department of Personnel Administration.

B. Ability to:

1. Analyze legal principles and precedents and apply them to complex legal and administrative problems;
2. Perform and direct legal research;
3. Present statements of facts, law and argument clearly and logically in written and oral form;
4. Draft, opinions, pleadings, rules, regulations, and legislation;
5. Negotiate effectively;
6. Recognize the special problems of employer-employee relations;
7. Independently present difficult and complex cases before administrative bodies and trial and appellate courts;
8. Draft proposed legislation and administrative regulations;
9. Handle difficult legal correspondence;
10. Analyze situations accurately and adopt an effective course of action;
11. Direct the work of clerical staff, professional assistants and lower level attorneys;
12. Effectively carry out the Department's Equal Employment Opportunity Program.

**ADDITIONAL
DESIRABLE
QUALIFICATIONS**

Experience in State or public sector employer-employee relations law.

**ELIGIBLE LIST
INFORMATION/ LIST
EXPIRATION**

A departmental promotional eligible list will be established for the DPA. The list will be abolished 24 months after it is established unless the needs of the service and conditions of the list warrant a change in this period.

**VETERANS
PREFERENCE**

Veteran's preference credit is not granted in promotional examinations.

QUESTIONS???

If you have any questions concerning this announcement, contact the DPA Examination Unit at (916) 323-4864.

GENERAL INFORMATION

THE DEPARTMENT OF PERSONNEL ADMINISTRATION reserves the right to revise the examination plan to better meet the needs of the service if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service laws and rules and all competitors will be notified.

FOR AN EXAMINATION WITHOUT A WRITTEN FEATURE it is the candidate's responsibility to contact the Department of Personnel Administration, Examination Unit (916) 324-3227 three weeks after the final filing date if he/she has not received a progress notice.

APPLICATIONS are available at the Department of Personnel Administration, local offices of the Employment Development Department and on the State Personnel Board's web site: www.spb.ca.gov

IF YOU MEET THE REQUIREMENTS stated on this bulletin, you may take this examination, which is competitive. Possession of the entrance requirement does not assure a place on the eligible list. Your performance in the examination described on this bulletin will be compared with the performance of the others who take this test, and all candidates who pass will be ranked according to their scores.

GENERAL QUALIFICATIONS: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others, and a state of health consistent with the ability to perform the assigned duties of the classification. A medical examination may be required. In open examinations, investigation may be made of employment records and personal history and fingerprinting may be required.

IF A CANDIDATE'S NOTICE of oral interview fails to reach him/her prior to the day of the interview due to a verified postal error; he/she will be rescheduled upon written request.

INTERVIEW SCOPE: When an interview is conducted, in addition to the scope described on this bulletin, the panel will consider education, experience, personal development, personal traits, ability, and fitness. In appraising experience, more weight will be given to the breadth and regency, of pertinent experience and evidence of the candidate's ability to accept and fulfill increasing responsibilities than to the length of his/her experience. Evaluation of a candidate's personal development will include consideration of his/her recognition of his/her own training needs; his/her plans for self-development; and the progress he/she has made in his/her efforts toward self-development.

ELIGIBLE LISTS: Eligible lists established by competitive examination, regardless of date, must be used in the following order: 1) subdivisional promotional; 2) departmental promotional; 3) multidepartmental promotional; 4) servicewide promotional; 5) departmental open; 6) open. When there are two lists of the same kind, the older list must be used first.

PROMOTIONAL EXAMINATIONS ONLY: Competition is limited to employees who have civil service appointment. Under certain circumstances other employees may be allowed to compete under provisions of Rules 234, 235, and 235.2. State Personnel Board Rules 233, 234, 235, 235.2 and 237 contain provisions regarding civil service status and eligibility for promotional examinations. These rules may be reviewed at the Department of Personnel Administration, or at the Information Counter of the State Personnel Board.

VETERANS PREFERENCE: California law allows granting of veterans preference points in open entrance examinations and open nonpromotional examinations. 1) Credit in open entrance examinations is granted as follows: 10 points for veterans, widows or widowers of veterans, and spouses of 100% disabled veterans; and 15 points for disabled veterans. 2) Credit in open nonpromotional examinations is granted as follows: Five (5) points for veterans; and 10 points for disabled veterans. Veterans preference points will be added to the final score of those competitors who are successful in this examination, and who qualify for, and have requested these points. **VETERANS WHO HAVE ACHIEVED PERMANENT CIVIL SERVICE STATUS ARE NOT ELIGIBLE TO RECEIVE VETERANS CREDITS.** Directions for applying for veterans preference and definitions for Veterans and Disabled Veterans are available on the Veterans Preference Application form (Form 1093) which is available from the State Personnel Board, 801 Capitol Mall, Sacramento, CA 95814 or their web site: www.spb.ca.gov

HIGH SCHOOL EQUIVALENCE: Equivalence to completion of the 12th grade may be demonstrated in any one of the following ways: 1) passing the General Educational Development (GED) test; 2) completion of 12 semester units of college-level work; 3) certification from the State Department of Education, a local school board, or high school authorities that the candidate is considered to have education equivalent to graduation from high school; or 4) for clerical and accounting classes, substitution of business college work in place of high school on a year for year basis.

DEPARTMENT OF PERSONNEL ADMINISTRATION

1515 "S" Street, North Building, Suite 400
Sacramento California 95811-7258

TDD is a Telecommunications Device for the Deaf and is reachable only from phones equipped with a TDD Device.
From TDD Phones: 1-800-735-2929
From Voice Phones: 1-800-735-2922